

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number	09/826693	Docket Number	MIPS.0172-00-US
Filed	04/04/01	Group Art Unit	2188
Examiner	REGINALD G. BRAGDON	Customer No.	23669
Application Title	SYSTEM AND METHOD FOR DATE CACHE BYPASSING IN A STREAM PROCESSING UNIT FOR A MULTI-STREAMING PROCESSOR		
First Named Inventor	MARIO D. NEMIROVSKY		

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FACSIMILE COVER SHEET

To: Commissioner for Patents - Central Fax Number
Fax Number: 571-273-8300

From: HUFFMAN PATENT GROUP, LLC
Fax Number: (661) 460-1986

Pages: 54 (including this cover sheet)

Dear Sir:

Please accept the attached correspondence for the above-identified matter. I hereby certify under 37 CFR 1.8 that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date of signature shown below.

Respectfully submitted,
HUFFMAN PATENT GROUP, LLC

/ Richard K. Huffman /

By: _____

RICHARD K. HUFFMAN, P.E.
Registration No. 41,082
Tel: (719) 575-9998

11/21/2005

Date: _____

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RESPONSE TO REQUIREMENT FOR INFORMATION UNDER 37 CFR 1.105 AND INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

VIA FACSIMILE: 571-273-8300

Mail Stop
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication responds to the Requirement for Information under 37 CFR 1.105 dated 05/27/2005, with a shortened statutory period of period of response set to expire 07/27/2005. A Petition for Extension of Time (3 Months) is attached hereto which, if granted, will extend the period of response until 10/27/2005. Also attached hereto is Form PTO-1449 listing documents believed relevant to the subject application and responsive to the Requirement for Information. It is respectfully requested that the examiner review the information disclosed herein in detail, independently evaluate each item carefully in the consideration of the pending claims, and return an initialed copy of each form to the undersigned practitioner.

This disclosure statement should not be construed as a representation that a search has been made, that no other material information as defined in 37 CFR 1.56(a) exists, or as an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR 1.56(b) or is available as a reference under 35 U.S.C. §102 *et seq.* Applicant reserves the right to swear behind or otherwise disprove the allege "prior" nature of any art cited should the facts support and the situation warrant such an action.

It is believed that this disclosure complies with the requirements of 37 CFR 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedures §609. If for some reason the examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

Some of the enclosed documents may have markings thereon. No significance is intended to be attached to the markings.

In the communication of 05/27/2005, the Examiner noted that Applicant, the assignee of this application, and all those individuals identified in 37 CFR 1.56(c) are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application. It was noted by the Examiner that it does not appear that the presently claimed invention is disclosed in U.S. Patent Application 09/737,375 or provisional application 60/181,364 and therefore the effective filing date of the claims in the present application is changed to 04 April 2001. The Examiner stated that Applicant should keep this date in mind when considering which art qualifies as "prior art."

In response to the requirement, the Examiner asked for any prior art which discusses the following aspects of the CNP810SP core (or any variants thereof) by Clearwater Networks (formerly XStream Logic Inc.) or the XCaliber core (or any variants thereof):

- structure and operation of the instruction queues, including the interaction of the instruction queues with other elements of the processor (e.g. register files, dispatch unit, function units, etc.);
- structure and operation of the data cache;
- structure and operation of the instruction queues and data cache in relation to each other.

The Examiner remarked that such art may be found in relevant sections of developer's manuals, user's manuals, and technical data sheets, but the Examiner specifically noted that the request is not limited to these types of documents and that Applicant should provide all relevant prior art.

In response to this requirement, the Examiner also asked for the names of any products or services (other than the CNP810SP core and XCaliber core referenced above) that have incorporated the claimed subject matter.

In response to the requirement, the Examiner additionally asked for copies of each publication which any of the applicants authored or co-authored and which describe the disclosed subject matter of the instruction queues or data cache. The Examiner noted that in responding to the requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

The Examiner waived the fee and certification requirements of 37 CFR 1.97 for those documents submitted in reply to this requirement, noting that the waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement, and further noting that any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

Applicant was reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. The Examiner stated that where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item.

In concluding, the Examiner state that the requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months, and further stated that EXTENSIONS OF TMS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Applicant responds as follows:

1. In the Request for Information, the Examiner indicated that it does not appear that the presently claimed invention is disclosed in U.S. Patent Application 09/737,375 or provisional application 60/181,364 and therefore the effective filing date of the claims in the present application is changed to 04/04/2001. Although the effective filing date of the claims in the present application was changed to 04/04/2001, Applicant responds that it is his desire, and hereby provides notice of intent, to pursue claims which are disclosed in U.S. Patent Application 09/737,375 or provisional application 60/181,364, in the instant application, or in a continuation application thereof.

2. In response to the request for prior art noted above, Applicant, the assignee of this application, and all those individuals identified in 37 CFR 1.56(c) assert that, following a search based upon the effective filing date of 04/04/2001, there is no known prior art which discusses the following aspects of the CNP810SP core (or any variants thereof) by Clearwater Networks (formerly XStream Logic Inc.) or the XCaliber core (or any variants thereof):

- structure and operation of the instruction queues, including the interaction of the instruction queues with other elements of the processor (e.g. register files, dispatch unit, function units, etc.);

- structure and operation of the data cache;
- structure and operation of the instruction queues and data cache in relation to each other.

3. In response to the request for names of any products or services noted above, Applicant, the assignee of this application, and all those individuals identified in 37 CFR 1.56(c) assert that, following a search based upon the effective filing date of 04/04/2001, there are no known names of any products or services (other than the CNP810SP core and XCaliber core referenced above) that have incorporated the claimed subject matter.

4. In response to the request for copies of each publication which any of the applicants authored or co-authored and which describe the disclosed subject matter of the instruction queues or data cache, the references listed in the Form 1449 attached hereto are provided. Applicant specifically notes that citations AB and AC do not identify either of the listed inventors as authors or co-authors, but that the material discussed therein is substantially similar to that discussed in citation AA, which is authored by Mario D. Nemirovsky, one of the two listed Applicants.

Applicant earnestly requests that the Examiner contact the undersigned practitioner by telephone if the Examiner has any questions or suggestions concerning this response, the application, or allowance of any claims thereof.

I hereby certify under 37 CFR 1.8 that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date of signature shown below.

Respectfully submitted,
HUFFMAN PATENT GROUP, LLC

/ Richard K. Huffman /

By: _____

RICHARD K. HUFFMAN, P.E.
Registration No. 41,082
Tel: (719) 575-9998

11/21/2005

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